

### **III. REMARKS**

#### **Status of the Claims**

Claims 15 is amended, claim 17 is canceled, and new claim 27 is added. Claims 15, 16, 18-22, and 27 are presented for further consideration.

#### **Summary of the Office Action**

Claims 15-22 stand rejected under 35USC102(b) on the basis of the cited reference Flitcroft, et al, U.S. Patent No. 6,636,833. Claims 18-22 are rejected under 35USC103(a) based on the cited reference Flitcroft in view of MicroSoft Computer Dictionary. The Examiner is respectfully requested to reconsider his rejection in view of the above amendments and the following remarks.

Applicant has amended the claims to further clarify the novel features of the invention for which protection is sought in this application.

#### **Discussion of the Cited Reference**

The Examiner has cited the reference Flitcroft in support of the rejection based on anticipation. This reference attempts to limit the use of master credit card numbers in purchase transactions. It does this by establishing a secondary level of credit card numbers which expire, after one or more transactions, to limit the potential for unauthorized use. An extensive system is envisioned in Flitcroft, by which multiple limited use credit card numbers may be assigned, in a secure manner, based on a master credit account. Aside from this limited use credit card number assignment, purchase transactions are conducted in the conventional manner, namely a customer purchases goods or

services from a vendor and submits the limited use credit card number to the bank or other financial institution for approval. The purchase transaction does not use an independent communication link between the customer and the financial server to confirm a transaction, as in the subject invention. The limited use credit card number is out there for unauthorized access and use, but is protected by the expiration of usefulness of the secondary credit card number. In the system of the subject application, secured communications are only required with the financial server. This is not the case with respect to the system of the cited reference.

There is no teaching of a system for accomplishing an Internet transaction using an independent financial server with which both consumer and merchant communicate, through independent communication links, as defined in claim 15 of the subject application, as amended. In the transactional system of Flitcroft, there is a communication link via the Internet to a payment server from the merchant, the customer participates in the transaction only via a link with the merchant. In the transaction in Flitcroft, no independent communications link between customer and payment server is required to complete a transaction, as in the system of this invention.

Claim 15, as amended, specifies that the merchant and customer communicate through independent communication links, that the financial server receives personal financial information of the customer, and that the merchant does not. The amendments to claim 15 are in response to the Examiners comments with respect to support in the claims for the distinguishing features of Applicant's invention.

The system of Flitcroft is, therefore, missing several important

features explicitly delineated in claim 15. Accordingly the teaching of Flitcroft does not support the rejection based on anticipation.

With respect to the issue of obviousness, it is well settled that, in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application.

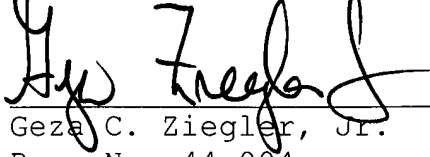
Applicant submits that the above described deficiencies of the primary reference Flitcroft are not remedied by the proposed combination with the teaching of the **"Microsoft Computer Dictionary"**. The combined references do not therefore support a prima-facie case of obviousness. The modification of the teachings of Flitcroft, in order to obtain the invention, as described in the claim 15 submitted herein, would not have been obvious to one skilled in the art.

The above arguments are equally applicable to the dependent claims 16, 18-22, and 27.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

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Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

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